

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Case No. 08-47560

ROBIN JULIUS LASENBY and  
BARBARA ANN BURNS-LASENBY,

Chapter 7

Judge Thomas J. Tucker

Debtor.

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**ORDER DENYING MOTION FOR RECONSIDERATION**

This case comes before the Court on "Motion for Reconsideration of Order Requiring Debtors Attorney to Refund to Debtors Part of the Attorney Fees Paid to Him," filed on December 22, 2008 (Docket # 38), which this Court construes as a motion for reconsideration of the December 13, 2008 Order requiring Debtors' attorney to refund to Debtors part of the attorney fees paid for this case (Docket # 37), and

The Court having reviewed and considered the motion for reconsideration, and

The Court finds the motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

In addition, the Court notes the following: The motion alleges, in substance (at ¶ 4), that at the December 3, 2008 hearing, the Court stated that if Mr. Stein filed the referenced affidavit from his former legal assistant no later than December 10, 2008, the Court would not require Stein to refund to debtors any part of his legal fees. That allegation is incorrect. The Court made no such statement or ruling. Rather, the Court indicated that it would consider the affidavit of Stein's former paralegal, if it were filed no later than December 10, 2008, along with the other evidence presented at the December 3, 2008 evidentiary hearing, in making its findings and

ruling under Section 329(b). The Court did consider the affidavit in question, as explicitly stated in its Order filed December 13, 2008 (Docket # 37 at p. 1, ¶¶ 1 and 2).

NOW, THEREFORE,

IT IS ORDERED that the motion for reconsideration should be, and hereby is, DENIED.

**Signed on December 23, 2008**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**